

marily or substantially for the purpose of having such findings printed for the use of a department or agency.

- (c) The initiation by departments and agencies of the procurement of writing, editing, preparation of manuscript copy, or preparation of related illustrative material from grantees; or the administrative printing requirements of the grantee required to respond to the terms of the grant. Nor does it preclude recording manuscript copy in digital form for typesetting purposes provided coding instructions have been approved by the Central Printing and Publications Management Office. However, the printing of such material for the Government must be accomplished in accordance with printing laws and regulations.

36-3. A requirement for a grantee to duplicate less than 5,000 units of only one page, or less than 25,000 units in the aggregate of multiple pages of his findings for the use of a department or agency, will not be deemed to be printing primarily or substantially for a department or agency. For the purpose of this paragraph, such pages may not exceed a maximum image size of 10% by 14% inches.

36-4. A requirement for a grantee to produce or procure less than 250 duplicates from original microform, as defined in paragraph 7-2, will not be deemed to be printing primarily or substantially for a department or agency.

37. Private or Commercial Work.—No work of a private or commercial nature may be accomplished at any Government plant even though the Government is reimbursed therefor. (See secs. 1102 and 1118, title 44, U.S.C.)

38. Publications, by Private Publishers.—When a department uses appropriated funds to create information for publication, the printing and binding of that information is subject to the provisions of sections 103 and 501 of title 44, United States Code, and it shall not be made available to a private publisher for initial publication without the prior approval of the Joint Committee on Printing.

39-1. Publications, Free Distribution of.—Departments shall not make free distribution of any publication to any private individual or private organization in quantities exceeding 50 copies without prior approval of the Joint Committee on Printing. This quantity limitation shall not apply when the production cost of the publication to be distributed is less than \$100.

THE FEDERAL JUDICIAL CENTER

DOLLEY MADISON HOUSE

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WASHINGTON, D.C. 20005

OFFICE OF
THE DIRECTOR

TELEPHONE
202/623-6311

October 5, 1988

Honorable Frank Annunzio
Chairman
Joint Committee on Printing
818 Hart Senate Office Building
Washington, D.C. 20510-8004

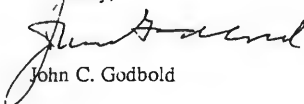
Dear Mr. Chairman:

In furtherance of its statutory mission "to conduct research and study of the operation of the courts of the United States, and to stimulate and coordinate such research and study on the part of other public and private persons and agencies," 28 U.S.C. § 620(b)(1), the Federal Judicial Center regularly publishes reports of research and analysis done by or for the Center. Most of these publications are submitted to the Government Printing Office for printing and dissemination to depository libraries under the procedures set forth in the Government Printing & Binding Regulations. On rare occasions -- 12 times in the past nine years -- the results of Center research have been initially published in law reviews or other scholarly journals and the Center has purchased reprints of these articles for distribution. The criterion for initial publication in scholarly journals is that particular information will likely receive greater dissemination through this method than through standard Center reports.

On September 28, 1988, as a result of Center inquiries to the Committee about the propriety of initial publication in scholarly journals, Russell Wheeler and Sylvan Sobel of the Center staff met with Anthony Zagami, Richard Oleszewski, and other members of your Committee's staff to discuss the Regulations' applicability to this practice. Your staff agreed that such activities assisted the Center in performing its statutory function and should be permitted to continue, provided that the Center work out a procedure with GPO to make reprints of privately-published articles available to depository libraries that request them. It was suggested that the Center order additional reprints for this purpose. Your staff understood that law libraries that are part of the depository library system would normally have access to the articles through the law reviews or journals in which they were published. We shall be pleased, however, to take whatever steps are necessary to ensure that our practices serve the needs of the depository library system.

Your staff suggested I send this letter to you as a record of what transpired at the meeting. We are grateful for your Committee's assistance and would be pleased to provide additional information upon request.

Sincerely,



John C. Godbold

cc: Anthony J. Zagami
Russell R. Wheeler
Sylvan A. Sobel

FRANK ANNUNZIO, REPRESENTATIVE FROM ILLINOIS,
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Congress of the United States

Joint Committee on Printing

818 HART SENATE OFFICE BLDG.
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88228

November 23, 1988

Mr. John C. Godbold
Office of the Director
The Federal Judicial Center
Dolley Madison House
1520 H Street NW
Washington, DC 20005

Dear Mr. Godbold:

Thank you for your recent letter regarding making privately-published articles available to Federal depository libraries. The Committee appreciates your bringing this matter to our attention and the conscientious efforts that have been made to assure continuing availability. In order to facilitate these efforts, Joint Committee staff will contact the appropriate personnel at the Government Printing Office to arrange for communications between the Office of the Superintendent of Documents and publishing representatives at the Federal Judicial Center.

Again, let me express my appreciation for the Center's cooperation and your prompt attention to this matter.

With every best wish, I am,

Sincerely,



Frank Annunzio
Chairman

cc: Assistant Public Printer, Superintendent of Documents